

MINUTES OF A REGULAR MEETING OF THE HYRUM CITY PLANNING
COMMISSION HELD THURSDAY, OCTOBER 8, 2015 AT THE HYRUM CIVIC
CENTER, 83 WEST MAIN.

CONVENED: 6:30 P.M.

CONDUCTING: Chairwoman Terry Mann.

PRESENT: Chairwoman Terry Mann, Commissioners Angi Bair, Jeff Nielsen, Wayne Olsen, Brian Carver and Alternate Kevin Anderson.

EXCUSED: NA

OTHERS PRESENT: City Administrator Ron Salvesen and Jake Thompson, Rod Thompson, J.D. Rhea, Grover and Vicky Smith, Secretary Michelle Jensen recorded the minutes.

PLEDGE OF ALLEGIANCE: Commissioner Angi Bair

INVOCATION: Commissioner Jeff Nielsen

APPROVAL OF MINUTES:

ACTION Commissioner Angi Bair Olsen made a motion to approve the minutes of September 10, 2015 as written. Commissioner Brian Carver seconded the motion and all five commissioners present voted aye.

AGENDA APPROVAL:

A copy of the notice and agenda for this meeting was FAXED to The Herald Journal, and mailed to each member of the Planning Commission, and posted at the Civic Center more than forty-eight hours before meeting time.

ACTION Commissioner Brian Carver made a motion to approve the Agenda for October 8, 2015 as written. Commissioner Jeff Nielsen seconded the motion and all five commissioners present voted aye.

AGENDA

6. SCHEDULED DELEGATIONS:

A. [J.D. Rhea, West Point Dairy](#) - to request site plan approval for a new milk storage silo at 570 North 500 West, Hyrum.

B. [Jake Thompson, Direct Homes LLC](#) - to request preliminary plat approval for Green Meadow Villas a 44 unit condominium planned unit development, at 291 West Main, Hyrum.

7. OTHER BUSINESS

A. Discussion of miscellaneous zoning ordinances and

- review of training.
8. ADJOURNMENT

SCHEDULED DELEGATIONS:

- A. J.D. RHEA, WEST POINT DAIRY - TO REQUEST SITE PLAN APPROVAL FOR A NEW MILK STORAGE SILO AT 570 NORTH 500 WEST, HYRUM.**

Discussion:

J.D. Rhea stated that they have grown in the raw receiving area three different times over the last ten years and part of what is driving this is the organic business. He said organic milk has to be kept separate from the conventional customers. J.D. said they would like to dedicate this tank for milk, it is larger in diameter than the five tanks that are already there. He said it is twice the capacity so it will be close to twice as high and it will allow them to hold a days' worth of milk. J.D. said they are running a lot more milk than they can hold right now and logistically makes it very difficult. He said they will be made of insulated metal panels.

Commissioner Kevin Anderson Arrived at 6:35P.M.

Commissioner Angi Bair asked how tall the existing tanks are.

J.D. Rhea said they are between thirty five and forty feet, this one is supposed to be seventy five feet.

Chairwoman Terry Mann asked if there was a benefit to doing it taller and one tank instead of two.

J.D. Rhea said when you have a product that deals with that much volume it is easier to deal with one tank. He stated they have to wash it anyway so it is just one hook up, one wash for one larger vessel. J.D. also mentioned that they are getting pretty snug on space right there, he don't want to crowd the trucks anymore they need to have plenty of room to turn around.

Commissioner Angi Bair stated there is no height restrictions in this zone.

Ron Salvesen said no not in this zone, it is in the industrial zone.

Commissioner Kevin Anderson what is the completion time frame.

J.D. Rhea said the tank will be ready to ship Nov 16th, they could set it the end of the next week.

ACTION Commissioner Jeff Nielsen made a motion to approve the site plan for approval for a new milk storage silo at 570 North 500 West, Hyrum. Commissioner Wayne Olsen seconded the motion and all five commissioners present voted aye.

B. JAKE THOMPSON, DIRECT HOMES LLC - TO REQUEST PRELIMINARY PLAT APPROVAL FOR GREEN MEADOW VILLAS A 44 UNIT CONDOMINIUM PLANNED UNIT DEVELOPMENT, AT 291 WEST MAIN, HYRUM.

Discussions:

Chairwoman Terry Mann asked if the road between the storage units is going to line up.

Jake Thompson said that is what UDOT would like to see happen. Jake said that is what was recommended.

Commissioner Angi Bair asked if the drawing they had showed the access to where it would line up with the storage units.

Jake Thompson said yes.

Commissioner Angi Bair stated that is a change from the original because they had the access coming out from the center.

Jake Thompson yes it is a change. Jake stated that UDOT's minimum is one hundred and fifty feet from an entrance or access point.

Commissioner Angi Bair stated that you would basically be coming in onto 300 West.

Jake Thompson said yes that is correct.

Ron Salvesen said they will put in twenty feet of asphalt there which will be enough.

Commissioner Jeff Nielsen said there was discussion about the trail to the park out to 100 North. Jeff stated that they show an existing trail going around the perimeter and asked if that is in addition to the trail along 300 West out to 100 North.

Jake Thompson said yes that is in addition to, it is a feature to the project.

Chairwoman Terry Mann asked on the playground if they are having sand piles, swings.

Jake Thompson said it is a sales feature on the project.

Rod Thompson said it will be more than just a swing set, they are thinking tunnel slides, etc. Rod stated it is something they want

to look nice, a selling feature.

Commissioner Jeff Nielsen asked about the wetlands.

Jake Thompson stated that Danny has started a delineation of the property. Jake stated they had met with him for a couple hours and went through the property, he did not mention any concerns. Jake stated Danny did mention the road and the entrance going into the property. He said what they have there he wasn't concerned with the direction they are going.

Rod Thompson said the road coming across has a drainage ditch behind the building and was possibly partially left open as a wetlands type area. Rod stated that he will write a report and present it to the core of engineers.

Jake Thompson stated he would have his assessment within a few weeks.

Commissioner Jeff Nielsen asked if there was nothing on east side that they need to worry about, just the north west corner.

Jake Thompson said he didn't have any concerns with what they are doing by just looking at it.

Rod Thompson said he has to do some soil samples and a report and present it to the core of engineers.

Commissioner Jeff Nielsen asked about the trails, the one going around the perimeter what is that going to be made out of.

Jake Thompson said concrete, like a sidewalk.

Commissioner Jeff Nielsen asked about the trail on the west side, the walk put onto 100 north what is that going to be made of.

Rod Thompson asked what the cities thoughts on that were.

Commissioner Jeff Nielsen said he would like to see concrete and in a location as if that were a street that was going to go through. Jeff said about a foot off the property line, five foot walk.

Rod Thompson said concrete would work because putting gravel you will fight weeds. Rod said they are leaning toward concrete.

Commissioner Kevin Anderson asked if that walkway is over the sewer line. Kevin asked if that would be maintained by the city after that was put in.

Ron Salvesen said yes we probably would maintain it after it was built. Ron said if it was on their property then we wouldn't do that but in this case we probably would maintain it.

Commissioner Wayne Olsen asked to talk about the fences, is it a privacy all the way around.

Jake Thompson asked if it was required by the PUD.

Ron Salvesen said yes.

Commissioner Brian Carver stated they show a six foot privacy fence on the plans.

Jake Thompson said a vinyl fence will be installed.

Commissioner Wayne Olsen asked if on Main Street if they have thought about something besides a privacy fence, possibly landscaping.

Jake Thompson said behind the building they have dressed it up a little bit and all that will be left open. Jake stated that is why they think the trail will be nice.

Commissioner Angi Bair said the trail would be behind the fence.

Jake Thompson said there is no fence in the front.

Commissioner Wayne Olsen stated it is quite a drop down to the property, he thinks some taller trees and still some berms and things like that.

Jake Thompson said there is some existing trees and asked if the city could like to see those stay.

Commissioner Jeff Nielsen said it would probably depend on what you ended up doing there if they would stay or not.

Rod Thompson said whenever you landscape you want to leave an image. Rod said they want to be proud of it and they want the people living there to be proud of it.

Commissioner Jeff Nielsen said the sign location will need to move back onto your property to the east. Jeff said the city can't put it in their right of way.

Commissioner Jeff Nielsen asked for playground equipment it will be a slide, swing set, these are things you are for sure going to put in.

Rod Thompson said he hasn't been in the market to shop for items.

Jake Thompson said it is going to be a selling feature for the project, it is not going to be some rink a dink thing.

Rod Thompson said it will be a sandy area, tunnel slides, swing sets, he would like to go look at the packages that they offer.

Commissioner Kevin Anderson said on the final plat he would like to them to designate how much square footage for grass, sand, bark, lighting, etc. for the playground.

Commissioner Brian Carver suggested they talk to Great Western Playgrounds in Mt. Sterling.

Rod Thompson asked if they would like to see some kind of a drawing of what is going to be sand, lawn, etc.

Commissioner Kevin Anderson said some sort of designation, lighting, benches, and playground equipment. Kevin stated he does think they are on the same page.

Rod Thompson asked if they are talking about the playground area or the entire project.

Commissioner Brian Carver said a lighting plan for entire project is a good idea.

Jake Thompson said they do already show lighting for the roads.

Commissioner Kevin Anderson said we would like to see those defined, one builder's idea of a playground might be different from another.

Commissioner Brian Carver stated they asked about the existing trees out on Main Street, personally no attachment to them. Brian said to put bigger trees in or something different he is fine with that.

Rod Thompson asked if we have certain requirements for planting trees.

Ron Salvesen said not unless you are putting them in the planting strip. Ron said there is a landscaping plan on multifamily that you have to follow and it looks like you have.

Commissioner Wayne Olsen stated back to the lighting he only sees three.

Chairwoman Terry Mann said there is four.

Commissioner Angi Bair stated that is a hydrant.

Commissioner Wayne Olsen said maybe another option would be to put one or two on the trail to the west.

Rod Thompson asked Kevin if that would address his concern with lighting the playground.

Commissioner Wayne Olsen said most of the lights are down the

center of the project. Wayne thought that would cover it if you added a couple on the west side.

Commissioner Angi Bair said it would be beneficial for safety.

Ron Salvesen said it would be a good idea to have one on the entrance road right as you come into the property.

Commissioner Angi Bair said yes, they thought there was one but it is a hydrant.

Ron Salvesen stated we have a decorative light city standard that we are going to start putting in all subdivisions. Ron would recommend that that be the minimum, they should be pretty nice lights.

Commissioner Wayne Olsen asked if they put most of the light down.

Ron Salvesen said yes, you can't buy a street light that is not a dark sky light anymore.

Commissioner Wayne Olsen stated that would be an additional three.

Jake Thompson stated two in the playground and one at the entrance.

Commissioner Kevin Anderson asked what the plan was for snow removal and storage.

Rod Thompson said he doesn't have a plan.

Commissioner Brian Carver said you can stack it on the ends, retention pond.

Jake Thompson suggested making those roads deeper for snow.

Ron Salvesen said if you push it to the end of all your parking lots, your guest parking, and your retention pond you should be fine.

Rod Thompson said he snow plows all the units.

Ron Salvesen said they need to talk about the rentals, how much you are comfortable with.

Chairwoman Terry Mann stated they now have twenty percent.

Jake Thompson said it is in the CC&R's that nine units of the forty four units have the option to rent.

Commissioner Wayne Olsen said to put a max on at twenty percent he would be comfortable.

Commissioner Angi Bair said yes she would be to.

Rod Thompson said when they put that on the plat should they put it as twenty percent or nine units.

Commissioner Jeff Nielsen said nine units would be fine.

Smith's stated they are concerned that it will turn into a permanent rental. They would like to see a way to say you cannot rent them forever, it must come to an end at some point.

Rod Thompson said he thinks that is a good idea. Rod said in the CCR's you can put down maximum rentals and that will define that a little bit. Rod said he thinks there concern is these are not rentals they are for people to buy and live there and if they do rent them what kind of control do they have in an HOA to control that.

Smith's said if you don't have some kind of control what is to say they can't buy them and just rent them out.

Commissioner Angi Bair said limiting it to nine says this is not a rental property but nine units at a time could be rented.

Commissioner Kevin Anderson said you are more protected in an HOA because they are managing the exterior, vehicles, if it is managed you are protected.

Commissioner Wayne Olsen asked if they are in this to sell them all. Wayne asked if they are purposely setting aside nine units for a reason.

Rod Thompson said no they are selling them all.

Commissioner Jeff Nielsen said they are not going to rent them yourselves.

Rod Thompson said no. Rod said they have had one person come to buy four and put them as rentals, they are staying away from that it will destroy the whole development.

Commissioner Kevin Anderson said it is worth way more to the city if it is occupied than if it is not. Kevin said you do not want to limit a homeowner if they have bought it and they can't sell it and the nine are already rented.

Commissioner Angi Bair said they HOA can amended it ten years down the road if they need.

Commissioner Jeff Nielsen said not if it is on the plat, they would have to amend the plat.

Jake Thompson stated they would have to come back to the city and get it amended.

Commissioner Jeff Nielsen said if we limit it to nine and put it on the plat and get it recorded then they can come back and the city can decide if they want to amend the plat at that time.

Commissioner Kevin Anderson said we have to be comfortable that some of these are going to be partially lived in. Kevin feels with that we should push more of the HOA requirements.

Ron Salvesen said if this is built right people will want to be there, there are some real selling points. Ron stated these kinds of places are thriving in Logan right now, when they are done right.

Commissioner Wayne Olsen asked if they turn the HOA over one hundred percent or do they stay involved.

Rod Thompson said if all forty four units are sold we won't have any interest there anymore. Rod said what they can create is CC&R's and that is why they are so important. He said they will abide by the CC&R's. Rod said he will turn HOA over one hundred percent.

Commissioner Jeff Nielsen asked if the city council reviews the CC&R's, does anybody review them.

Ron Salvesen said yes he thinks the city council should approve those.

Commissioner Kevin Anderson asked if the CC&R's will cover snow removal.

Rod Thompson said yes.

Commissioner Wayne Olsen asked how much each unit is going to kick into that fund.

Jake Thompson said he is working on getting some landscaping bids and things and he will figure it that way.

Commissioner Kevin Anderson asked at what point you divest your HOA to the community, is it when the last unit sells.

Rod Thompson said they will manage the HOA unit they lose control, they lose control at twenty three units.

Commissioner Angi Bair asked if they are you going to phase these.

Rod Thompson said they are building them all at once, they will build them as they sell them.

Chairwoman Terry Mann asked if they will build them from the front first. Terry also mentioned we talked about putting the playground in up front.

Rod Thompson said there is a guy that rents the top of that building, are you guys ok with that.

Ron Salvesen stated an emergency vehicle would have to be able to get into that property, it would have to be approved by the fire department.

Commissioner Kevin Anderson stated that the only problem he could see was utilities to that building.

ACTION Commissioner Jeff Nielsen made a motion to approve a preliminary plat approval for Green Meadow Villas a 44 unit condominium planned unit development, at 291 West Main, Hyrum with the following conditions 1)A five foot concrete sidewalk will be provided on 300 west to 100 north street, 2)Three additional lights will be added on west side near playground on the entrance, 3) The lights throughout the development will be decorative lights, 4)The wetland will be mitigated according to whatever the engineer comes up with, 5)The playground areas will be defined with equipment and percentage of green space, bark, etc and it will be defined, 6)A note placed on final plat that only nine units can be rental units the rest of the units will be privately owned and occupied, 7)The CC&Rs provided to city council for review and approval, 8)A vinyl privacy fence will be placed on east and north side adjacent to all residential areas, 9)There will be a landscaping berm, etc. on south side up against main street, 10)An emergency entrance will be maintained to existing building as long as the building stands, 11)The sign will be moved onto their property. Commissioner Brian Carver seconded the motion and all three commissioners present voted aye.

OTHER BUSINESS:

A. DISCUSSION OF MISCELLANEOUS ZONING ORDINANCES AND REVIEW OF TRAINING MEETING.

Discussion:

Ron asked if there was anything that the planning commission wants to address or if everyone is comfortable with where we are at. He stated the response he got last meeting was everyone was very comfortable with where things are at.

Commissioner Angi Bair said she likes the idea of adding decorative lighting and having a playground plan and be more specific.

Commissioner Kevin Anderson stated we are onto something by regulating decorative lighting. He said they are so random at how they are placed, some are in the parking strip and some are on

corners, some in the middle of the blocks, etc. He feels we need to standardize the lights and the requirements, developing a consistent standard of lighting.

Ron Salvesen said he likes the idea of requiring a few more things from the developers since we lowered the lot size down, he feels like decorative lights is one we could get, require a few more trees and things like that.

Commissioner Brian Carver mentioned we had looked at other design standards as well.

Commissioner Wayne Olsen stated early in the process it was mentioned that they should get together with the city council to find out what they want and make sure that is what we want as we move forward in changing codes and nailing down some things. Wayne mentioned the council wasn't very happy since they had made the lots narrower.

Ron Salvesen stated that is not all the city council that has that concern, several of them are very comfortable with that change.

Commissioner Wayne Olsen asked if the planning commission is on the same page as the city council then.

Ron Salvesen said yes for the most part they are. He stated he thinks that the city council has one that is way over here, another way over there, and the other three somewhere in between.

Commissioner Kevin Anderson asked if it would be beneficial to have an annual or semi-annual workshop with the council.

Ron Salvesen said he thinks periodically yes but not very often. Ron stated they were intended to be independent of the city council, you are intended to not be a rubber stamp of the council, you are appointed they are elected, you answer differently than they do. The system is set up that way so that there is independence, it is set up so that they have the final say on most things because they are elected officials but it is also set up by state law that they take your recommendation on most things. He said it is a touchy thing to keep that separation.

Commissioner Angi Bair stated that Meg Ryan had mentioned that the city council should not be coming to planning commission meeting and being involved in what they are doing, they need to let them do their job and then take it to their level and review it then.

Ron Salvesen said that is one of the things that stood out to him as well and that we had asked her to address that.

Commissioner Angi Bair said yes Meg Ryan said no do not go to planning and zoning.

Ron Salvesen stated that when she heard that they had been coming Meg Ryan said that is not right, they should not be coming and having two says in everything and be overly involved.

Commissioner Wayne Olsen asked if that has that been corrected.

Ron Salvesen said yes they understand now and the ones that did it recognize it.

Chairwoman Terry Mann said otherwise there is no need to have a planning commission.

Ron Salvesen said he thinks there is some need in meeting together but he would really caution that it not be too often.

Commissioner Jeff Nielsen asked if there is a way to bring it up to them every once in a while and ask them if there is something they want the planning commission to address.

Commissioner Kevin Anderson said part of their effectivity is being elected officials and he expects that the community would communicate their desires and what they want in the community to the elected officials and why we need to operate independently he would hope that the city council could communicate to this body what the community wants so that they have a vision of what the community wants. He said why we are not elected people we represent the community.

Ron Salvesen stated it is an interesting process, most zoning decisions the final say is the city council but state law requires that the public hearing are held with the planning commissioners. Ron said a lot of the times when it is a hot button issue you take the heat they do not.

Commissioner Wayne Olsen said most of the time they get their feedback from that. He stated he had been at this a long time and has never had someone call him at home. Wayne said they probably get dozens of calls a week.

Ron Salvesen stated some of them get more than others and he doesn't think they get a huge amount of calls. He said if they feel strongly about something they will say. Ron said if they want you guys to address something they can insist that you do.

Commissioner Kevin Anderson asked for his educational purposes, what is the purpose of having a public hearing when we take largely public opinion, concerns and ideas that are outside of the scope of what is legal of what a land owner's ability is to do with a property versus popular opinion, why is it structured that way.

Ron Salvesen stated that originally they felt like everybody needed to feel like they were heard. Ron said at one time state law required that they hold a public hearing for all subdivision but recently they figured out why are we forcing the public to give their opinion on something that legally we have to approve. He said they are only required on optional things such as PUD's, things that are not black and white.

Commissioner Kevin Anderson said that they can come and give their opinions but in reality if they are only opinions they fall on deaf ears.

Ron Salvesen stated that part of what we can do is have a statement that can be read by the Chairwoman at a public hearing, it will explain what a public hearing is and what our requirements are so that when you are done with a public hearing people understand where you are coming from.

Commissioner Angi Bair said a public hearing is good to get what people are concerned about. Angi said you may need to fix some lighting, or such at Miller's a higher sound barrier fence. She stated if you don't live there you won't know somethings without the neighbors input.

Commissioner Kevin Anderson said that they did use the input at JBS and it helped.

Ron Salvesen stated that the planning commission does a good job and are very thorough at what they do. He stated that the city council recognizes that just sometimes they may not agree. Ron said there is a lot of appreciation for what the planning commission does.

Commissioner Wayne Olsen asked if we have to change or amended any of our codes.

Ron Salvesen said the only thing she recommended was a note on the conditional uses.

Commissioner Wayne Olsen asked if it was a public hearing.

Ron Salvesen said yes we will have to have a public hearing. Ron said the mill looks like they are ready to go and they would like to see if we would hold a special meeting.

Commissioner Kevin Anderson said wasn't there something that came up in training not to do special meetings anymore.

Commissioner Brian Carver said yes Meg Ryan did say not to do that.

Ron Salvesen said she had been told that we are holding a lot of these extra meetings which we are not. Ron said when you are holding one planning commission meeting a month, our code says we

will hold them as needed. He said she thought we were holding them every week, it was a misunderstanding. Ron said most cities hold planning commission meeting twice a month.

ADJOURNMENT:

ACTION **There being no further business before the Planning Commission, the meeting adjourned at 7:52 p.m.**

Terry Mann
Chairman

ATTEST:

Michelle Jensen
Secretary

Approved: November 12, 2015